

105TH CONGRESS
2D Session

S. 1178

AMENDMENTS

In the House of Representatives, U. S.,

March 25, 1998.

Resolved, That the bill from the Senate (S. 1178) entitled “An Act to amend the Immigration and Nationality Act to extend the visa waiver pilot program, and for other purposes”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. EXTENSION OF VISA WAIVER PILOT PROGRAM.***

2 *Section 217(f) of the Immigration and Nationality Act*
3 *is amended by striking “1998.” and inserting “2000.”.*

4 ***SEC. 2. DATA ON NONIMMIGRANT OVERSTAY RATES.***

5 *(a) COLLECTION OF DATA.—Not later than the date*
6 *that is 180 days after the date of the enactment of this Act,*
7 *the Attorney General shall implement a program to collect*
8 *data, for each fiscal year, regarding the total number of*
9 *aliens within each of the classes of nonimmigrant aliens*
10 *described in section 101(a)(15) of the Immigration and Na-*
11 *tionality Act (8 U.S.C. 1101(a)(15)) whose authorized pe-*
12 *riod of stay in the United States terminated during the pre-*
13 *vious fiscal year, but who remained in the United States*
14 *notwithstanding such termination.*

1 (b) *ANNUAL REPORT*.—Not later than June 30, 1999,
 2 and not later than June 30 of each year thereafter, the At-
 3 torney General shall submit an annual report to the Con-
 4 gress providing numerical estimates, for each country for
 5 the preceding fiscal year, of the number of aliens from the
 6 country who are described in subsection (a).

7 **SEC. 3. QUALIFICATIONS FOR DESIGNATION AS PILOT PRO-**
 8 **GRAM COUNTRY.**

9 Section 217(c)(2) of the Immigration and Nationality
 10 Act (8 U.S.C. 1187(c)(2)), is amended to read as follows:

11 “(2) *QUALIFICATIONS*.—Except as provided in
 12 subsection (g), a country may not be designated as a
 13 pilot program country unless the following require-
 14 ments are met:

15 “(A) *LOW NONIMMIGRANT VISA REFUSAL*
 16 *RATE*.—Either—

17 “(i) the average number of refusals of
 18 nonimmigrant visitor visas for nationals of
 19 that country during—

20 “(I) the two previous full fiscal
 21 years was less than 2.0 percent of the
 22 total number of nonimmigrant visitor
 23 visas for nationals of that country
 24 which were granted or refused during
 25 those years; and

1 “(II) either of such two previous
2 full fiscal years was less than 2.5 per-
3 cent of the total number of non-
4 immigrant visitor visas for nationals
5 of that country which were granted or
6 refused during that year; or

7 “(ii) such refusal rate for nationals of
8 that country during the previous full fiscal
9 year was less than 3.0 percent.

10 “(B) MACHINE READABLE PASSPORT PRO-
11 GRAM.—The government of the country certifies
12 that it has or is in the process of developing a
13 program to issue machine-readable passports to
14 its citizens.

15 “(C) LAW ENFORCEMENT INTERESTS.—The
16 Attorney General determines that the United
17 States law enforcement interests would not be
18 compromised by the designation of the country.”.

Amend the title so as to read “An Act to amend the Immigration and Nationality Act to modify and extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of non-immigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General.”.

Attest:

Clerk.